

Notice of Allowability

Application No.

09/315,680

Examiner

Frantzy Poinvil

Applicant(s)

NICHOLLS ET AL.

Art Unit

3696

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 10/09/2006.
2. ☒ The allowed claim(s) is/are 1-48, 50-68, 71-89 and 99-104.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 7/2/08
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

/Frantzy Poinvil/
Primary Examiner, Art Unit 3696

DETAILED ACTION

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

As per claim 50, line 1, "49" has been changed to - - 42 - -.

As per claim 51, line 1, "49" has been changed to - - 42 - -.

As per claim 52, line 1, "49" has been changed to - - 42 - -.

As per claim 53, line 1, "49" has been changed to - - 42 - -.

Authorization for this examiner's amendment was given in a telephone interview with Scott Brient on July 2, 2008.

Allowable Subject Matter

2. The following is an examiner's statement of reasons for allowance:

The prior art taken alone or in combination failed to teach or suggest at least one supervisory server for integrating operations of at least one rate server, the at least one rate server having a shipper interface means for defining a set of operations representing a procedure by which the shipper ships goods to thereby isolate the set of operations by which a shipper ships from rules by which a carrier transports taken in combination with a logistics management tool

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to facilitate the process of shipping goods by a shipper via a selected one of a plurality of carriers as recited in independent claim 1.

The prior art taken alone or in combination failed to teach or suggest at least one supervisory server for integrating operations of the rate server, the rate server having a shipper interface means for defining a set of operations representing a procedure by which the shipper ships goods to thereby isolate the set of operations by which the shipper ships from the rules by which the carrier transports taken in combination with a logistics management system to facilitate the process of shipping goods by a shipper via a carrier as recited in independent claim 13.

The prior art taken alone or in combination failed to teach or suggest a supervisory server, connected to a network through which the rate server and the client application register to establish a mutual message communication capability by which the rate server and the client application thereafter pass messages independently of the supervisory server over an interface between them, the interface isolating the set of rules by which the shipper ships from the rules by which the carrier transports as recited in independent claim 27.

The prior art taken alone or in combination failed to teach or suggest at least one supervisory server for making the operations of the rate server accessible to the client application, the set of operations representing the procedure by which the shipper ships goods to thereby isolate the set of operations by which a ships from the rules by which a carrier transports taken in combination with a logistics management system to facilitate the process of shipping goods by a shipper via a carrier as recited in independent claim 42.

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The prior art taken alone or in combination failed to teach or suggest communicating a determined data from the rate server to the client application through an interprocess communication mechanism connected to the network and thereby isolating the set of rules by which the shipper ships from the rules by which the carrier transports as recited in independent claim 55.

The prior art taken alone or in combination failed to teach or suggest a supervisory server, connected to a network with which a rate server and a client application register to facilitate communication of messages between the rate server and the client application independently of the supervisory server and an interface for isolating the set of rules by which the shipper ships from the set of rules by which the carrier transports as recited in independent claim 71.

The prior art taken alone or in combination failed to teach or suggest at least one supervisory server including at least one computer configured to provide registration services to facilitate communication between the rate server and the client via a client/server architecture utilizing an interprocess communication mechanism, the communication being independent of the supervisory server whereby the rules by which the user operates are isolated from the set of rules by which carrier delivers as recited in independent claim 86.

The prior art taken alone or in combination failed to teach or suggest a supervisory server and wherein the first and second message handling services enable communication between the at least one client application and the at least one rate server via the network architecture and isolate the set of carrier rules from the set of shipper rules taken in combination with a logistics management system as recited in independent claim 99.

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The prior art taken alone or in combination failed to teach or suggest communicating the determined data from the rate server to the client application through an interprocess communication mechanism connected to a network and thereby isolating the set of rules by which the shipper ships from the rules by which a carrier transports taken in combination with a computer-readable storage medium containing a set of computer-executable instructions for a method for facilitating the process of shipping goods by a shipper via carrier as recited in independent claim 101.

The prior art taken alone or in combination failed to teach or suggest communicating the determined data from the rate server to the client application through an interprocess communication mechanism connected to the network and thereby isolating the set of rules by which the shipper ships from the rules by which the carrier transports taken in combination with a computer-controlled apparatus configured to perform a method for facilitating the process of shipping goods by a shipper via carrier as recited in independent claim 102.

Schuricht et al. (EPA 0 484 875 A2) discloses a "Parcel processing system with end of day rating".

Schuricht et al taken alone or in combination failed to teach or suggest the above noted features found in claims 1, 13, 27, 42, 55, 71, 86, 99, 101 and 102.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil whose telephone number is (571) 272-6797. The examiner can normally be reached on Monday-Thursday from 7:00AM to 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Dixon can be reached on (571) 272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**/Frantzy Poinvil/
Primary Examiner
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FP